

Hardy County Planning Commission
Meeting Minutes
2-1-2011

A meeting of the Planning Commission was held in the Planning Office of the courthouse. Planning Commission members present were Dave Fansler, George Leatherman, Roger Saville, Lee Lehman, Charles Kohne, Greg Greenwalt, and Brad Wilkins. Planning Commission members absent were Charlotte Bowman, Mike Teets, and Jeff Fraley. Planner Pat Ford was Present. The guests for the evening were Robert Williams, Alecia Sirk, and Bob Alcock.

Lee Lehman called the meeting to order at 7:00PM.

The first order of business was to read and approve the minutes from the January 11, 2011 meeting. Charles Kohne asked for the following corrections; which Pat Ford made (see below).

Charles Kohne stated that he ~~believed~~ was of the opinion that there were illegal meetings occurring between Planning Commission members and, as a result, approached the State Ethics Commission for an opinion.

With the correction made, Charles Kohne stated that he objected to the language being listed as a member of the public in the December 7 minutes instead of being a member of the Planning Commission in the December 7th minutes whereby he was listed as a member of the public.

George Leatherman pointed ~~out~~ the grammatical correction *rights-of-ways*.

With no further additions, corrections, or objections, Greg Greenwalt made a motion to accept the minutes with the corrections. The motion was seconded by George Leatherman. With no discussion on the motion, a vote was taken. The motion passed.

The next item on the agenda was a discussion of the Planning Commission by-laws. Pat Ford went over the changes in the January version of the by-laws. Pat Ford added that he wanted to make all of the ordinances consistent. Pat Ford inquired as to proxy votes and the consensus of the Planning Commission was that they should not be allowed. Pat Ford also informed the Planning Commission that the Administrative Secretary would be changed to the County Planner. The committees were omitted except the governance committee. Pat Ford informed the Planning Commission that in the past, there was not a standard for the selection of Planning Commission members.

Charles Kohne made a motion to omit the Governance Committee Section out of the by-laws (Article VII, Section I). George Leatherman made second on the motion. Greg Greenwalt made an amendment to the motion that the motion involved changing "Governance" Committee would be changed to "Selection" Committee. With no further discussion on the motion, a vote was taken. The motion passed.

Brad Wilkins made a motion to change the administrative secretary to county planner. The motion was seconded by George Leatherman. With no further discussion on the motion, a vote was taken. The motion passed.

Charles Kohne made a motion to wait until the next meeting of the Planning Commission in March so the commission members could digest the additions and corrections. Dave Fansler made a second on the motion. Greg Greenwalt stated that it was long over due time to get the Planning Commission by-laws passed. Charles Kohne stated that he disagreed. With no further discussion a vote was taken. The vote was one Yea in favor of the motion and four votes Nae against the motion. The motion failed.

Greg Greenwalt made a motion to accept the by-laws with the added corrections voted upon in that February meeting and further amendments could be made to the by-laws as stated therein. The motion was seconded by George Leatherman. With no discussion on the motion a vote was taken. Charles Kohne voted Nae. The remaining votes (four) were Yea. The motion passed.

Lee Lehman asked Pat Ford if the next step involved confirmation by the County Commission. Pat Ford answered in the affirmative.

The next item discussed was the Comprehensive Plan presentations scheduled to be given to the BZA, PSD, Chamber of Commerce, and the upcoming meeting with the RDA. These meetings involved the President of the Planning Commission and the County Planner presenting the plan to these groups, then accepting comments and questions, which would be later presented to the Planning Commission. Pat Ford informed the Planning Commission members of the dates by which the meetings would take place.

There was no new or old business for the Planning Commission.

With nothing further on the agenda, Greg Greenwalt made a motion to adjourn. George Leatherman made a second on the motion. With no discussion on the motion a vote was taken. The motion passed.

The meeting adjourned at 7:54PM.

These minutes represent a summary of the subjects discussed and the actions taken by the members of the Hardy County Planning Commission for the meeting held on February 1, 2011. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.



President, Hardy County Planning Commission



Hardy County Planner

Hardy County Planning Commission
Meeting Minutes
3-1-2011

A meeting of the Planning Commission was held in the Planning Office of the courthouse. Planning Commission members present were Dave Fansler, Charlotte Bowman, Mike Teets, George Leatherman, Roger Saville, Lee Lehman, Charles Kohne, Greg Greenwalt, and Brad Wilkins. Planning Commission members absent were Jeff Fraley. Planner Pat Ford was Present. The guests for the evening were Alecia Sirk, Robert Williams and Bob Alcock.

Lee Lehman called the meeting to order at 7:00PM.

Due to the absence of Assistant Planner Dave Shields (broken ankle), Lee Lehman informed the Planning Commission that there would be two sets of meeting minutes for the April meeting (February and March).

There were no Committee reports or a guest speaker.

The next item on the agenda was the review of the amended by-laws by the Planning Commission. Pat Ford informed the Planning Commission of the voted upon changes in the by-laws, in order. Pat Ford then discussed the possibility of a speaker who would educate the Planning Commission regarding Robert's Rules of Conduct. The recommended person was Roy Harper, Chair of the RDA and VO-AG teacher at Moorefield High School. The consensus of the Planning Commission was to invite him to a meeting for an instructional session.

Greg Greenwalt made a motion to modify the language regarding County Commission membership to the Planning Commission to read, "*One member of the elected Hardy County Commission shall be designated to serve as a member of the Planning Commission.*" The motion was seconded by Mike Teets. With no discussion on the motion a vote was taken. The motion passed.

Charlotte Bowman inquired about the date requirements for the meetings. Pat Ford replied that the dates were as stated, "*in Article 2, Section 7, Chapter 8A of the West Virginia Code*".

Charles Kohne inquired as to the budget for the Planning Office. Pat Ford replied that the Planning Office staff was still working on the budget. He then quoted from the approved by-laws, "**Section 9.** *A proposed plan of work for the proximate fiscal year shall be completed by the June meeting preceding that fiscal year and submitted to Hardy County Commission for budget planning purposes.*"

George Leatherman made a motion to amend Article 3, Section 9, to Read, "**Section 9.** *A proposed plan of work for the proximate fiscal year shall be completed by the January meeting preceding that fiscal year and submitted to Hardy County Commission for*

budget planning purposes." The motion was seconded by Greg Greenwalt. With no discussion on the motion a vote was taken. The motion passed.

Lee Lehman inquired if the next step in the by-law process was a finished copy for the Planning Commission and then the finished copy is sent to the County Commission. Pat Ford answered in the affirmative.

Next under old business was a presentation by Pat Ford to the Planning Commission regarding the Comprehensive Plan presentations given to the BZA, Chamber of Commerce, and the PSD. Pat Ford stated that very positive feedback came from the meetings.

Lee Lehman commented that these meetings were an additional benefice to the stake holder meetings due to the greater spectrum of people that could be outreached.

Pat Ford informed the Planning Commission of a second information session for the general membership of the Chamber of Commerce on the 16th of March at the Ponderosa.

There were no comments or questions from the public.

Pat Ford reported to the Planning Commission that there were a greater number of secondary homes being applied for in the Planning Office.

Pat Ford informed the Planning Commission that there was a wireless carrier that was interested in the SR259 corridor from Baker to the Virginia line.

Alecia Sirk stated that one of the concerns for the Lost River State Park was the lack of wireless service, which is a contributor for few numbers in visitors.

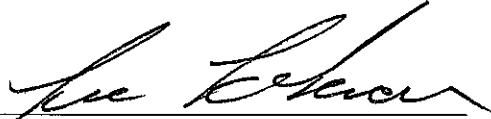
Greg Greenwalt updated the Planning Commission as to the visitors to the Planning Commission web site.

Dave Fansler inquired as to the Baker water project. Mike Teets replied that the line down SR259 was completed and the site on Parker Hollow Road was under construction.

With no further business, Greg Greenwalt made a motion to adjourn the meeting. The motion was seconded by George Leatherman. With no discussion on the motion a vote was taken. The motion passed

The meeting adjourned at 7:49PM.

These minutes represent a summary of the subjects discussed and the actions taken by the members of the Hardy County Planning Commission for the meeting held on March 1, 2011. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.



President, Hardy County Planning Commission



Hardy County Planner

Hardy County Planning Commission
Meeting Minutes
4-5-2011

A meeting of the Planning Commission was held in the Planning Office of the courthouse. Planning Commission members present were Dave Fansler, Charlotte Bowman, Mike Teets, George Leatherman, Roger Saville, Lee Lehman, Charles Kohne, Greg Greenwalt, and Brad Wilkins. Planning Commission members absent were Jeff Fraley. Assistant Planner Dave Shields was Present. The guests for the evening were Mike Foster, Robert Williams and Bob Alcock.

Lee Lehman called the meeting to order at 7:00PM.

The first order of business was to read and approve the minutes from the February 1, 2011 meeting. There was one grammatical error. With no other additions, corrections, or objections, Greg Greenwalt made a motion to accept the minutes as read with the one correction. The motion was seconded by Mike Teets. With no discussion on the motion a vote was taken. The motion passed.

The next ^{item} on the agenda was to read and approve the minutes from the March 1, 2011 meeting. There being no additions, corrections, or objections, Charlotte Bowman made a motion to approve the minutes as read. The motion was seconded by Greg Greenwalt. With no discussion on the motion a vote was taken. The motion passed.

Next, Lee Lehman introduced the guest speaker for the evening, Mike Foster, superintendent of the Lost River State Park. Superintendent Foster introduced himself and gave a brief history of his career. He then informed the commission about the challenges and goals of the state park. Superintendent Foster stressed that the park wants to build greater connections with the citizens of the county. He also informed the commission that there is a great demand from visitors to the park for wireless coverage.

Lee Lehman informed Superintendent Foster that all written contributions to the Comprehensive Plan have been positive.

Roger Saville inquired as to meeting space at the Park. Superintendent Foster replied that the park had meeting space the size of the Planning Office.

Lee Lehman inquired as to the restaurant. Superintendent Foster replied that it was a hit-or-miss business during the week.

County Commission President Mike Teets informed Superintendent Foster that if there was anything that the County Commission could do to assist the state park, please ask.

There were no committee reports.

Under old business, Lee Lehman informed the commission that when the Planning Commission by-laws have been fully amended and approved by the Planning Commission, Lee and Pat will be placed on the County Commission agenda for approval.

Next under old business, Lee Lehman asked the Planning Commission members to look at the comments drawn up by Pat Ford and Dave Shields regarding comments from staff, presentations to civic groups, letters from the public, and the public hearings. Lee Lehman asked Dave Shields if he had any comments. Dave Shields informed the Commission that the comments in parenthesis are the recommended sections of the plan where the comments may be placed.

Greg Greenwalt then informed the commission that he had spoken to RDA chairman Roy Harper regarding a presentation of Roberts Rules of Order. Greg informed the commission that Chairman Harper would be pleased to schedule an informational session with the commission.

There was no new business.

Lee Lehman asked the members of the public if they had any comments.

Robert Williams thanked the commission, but had no comments.

Bob Alcock inquired as to the Planning Commission by-laws. He specifically asked about Article VII, Section I, which stated;

“Presenting a slate of qualified appointments to the County Commission for appointment to fill either pending or existing vacancies in the membership of the Planning Commission.”

Bob Alcock stated that he could not understand why that statement was in the by-laws and that Article III, Section VIII stated;

“The Planning Commission shall present a slate of qualified appointments to the County Commission for appointment to fill either pending or existing vacancies in the membership of the Planning Commission.”

Bob Alcock asked the Planning Commission members if they had any issue with this conflict. Due to Bob Alcock's inquiry, a discussion of that section commenced between Planning Commission members.

Dave Fansler stated that the Planning Commission did not need committees. He also stated that the whole of the Planning Commission should be able to recruit new members.

Charles Kohne stated that the whole Planning Commission, not a select committee, should be able to investigate prospective members.

Brad Wilkins stated that there should be full participation by the whole Planning Commission in membership recruitment. In the past, new members would just "show up" without the Commissions' knowledge.

After the discussion, Charlotte Bowman made a motion for the Planning Office staff to amend Article VII, Section I. The motion was seconded by Charles Kohne. With no discussion on the motion, a vote was taken. The motion passed.

Charlotte Bowman asked when the next meeting would be. Dave Shields informed he that it would be Tuesday, May 3, 2011.


With nothing further to discuss on the agenda, Mike Teets made a motion to adjourn the meeting. The motion was seconded by George Leatherman. With no discussion on the motion a vote was taken. The motion passed.

The meeting adjourned at 7:42PM.

These minutes represent a summary of the subjects discussed and the actions taken by the members of the Hardy County Planning Commission for the meeting held on April 5, 2011. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.



President, Hardy County Planning Commission



Hardy County Planner

Hardy County Planning Commission
Meeting Minutes
5-3-2011

A meeting of the Planning Commission was held in the Planning Office of the courthouse. Planning Commission members present were Dave Fansler, Roger Saville, Lee Lehman, Charles Kohne, Greg Greenwalt, and Brad Wilkins. Planning Commission members absent were Jeff Fraley, Charlotte Bowman, Mike Teets, and George Leatherman. Planner Pat Ford and Assistant Planner Dave Shields were present. The guests for the evening were Robert Williams and Bob Alcock.

Lee Lehman called the meeting to order at 7:00PM.

The first order of business was to read and approve the minutes from the April 5, 2011 meeting. There was one grammatical error "item" that should have been in the first sentence of the third paragraph of the first page. With no other additions, corrections, or objections, Brad Wilkins made a motion to accept the minutes as read with the one correction. The motion was seconded by Greg Greenwalt. With no discussion on the motion a vote was taken. The motion passed.

There were no guest speakers at this meeting.

There were no committee reports at this meeting.

Under old business, the Planning Commission first reviewed the final draft of the Planning Commission by-laws. There were no comments regarding corrections to the final draft of the by-laws. With no other comments, Greg Greenwalt made a motion to have the final draft presented to approve the final draft and present it to the County Commission for their approval. The motion was seconded by Dave Fansler. With no comments on the motion a vote was taken. The motion passed.

The next item under old business was to review the comments presented by the Planning Staff regarding the Comprehensive Plan. A letter from Rodney Branson was passed out to the Planning Commission members.

Pat Ford relayed a message from County Commissioner Teets asking the Planning Commission to hold any comments until the Planning Staff present an outline regarding updating the 1999 Comprehensive Plan. Pat Ford informed the Planning Commission that County Commissioners Keplinger and Teets had spoken to him in the Commission Room and informed him that the Planning Office Staff were to provide the information as to what would be required to bring the 1999 Comprehensive Plan up to WV Code 8A standards. In addition, Pat Ford informed the Planning Commission of the article in the Moorefield Examiner, stating that the Hardy County RDA would only vote to approve the 1999 Comprehensive Plan.

Charles Kohne stated that he did not like either Comprehensive Plan.

Brad Wilkins inquired as to time limits. Pat Ford replied that the Planning Commission had past the ten year limit to update the Plan. Pat Ford also added that time a time lapse in meeting the mandated limits could expose the county in any land use litigation.

Roger Saville asked if the Planning Commission chose to revamp the 1999 plan, would the same procedures have to be gone through as with the current plan. Pat Ford replied in the affirmative.

Charles Kohne gave several stories, as examples, of tree stands, that the current Comprehensive Plan was too restrictive. He also added that view shed should not be in the plan.

Brad Wilkins, commenting on the submitted comments, letters, staff suggestions, public hearings, and stakeholder meetings, suggested a compiled list that grouped the ideas with the selected areas of the plan.

Lee Lehman asked Pat Ford to see which areas of the 1999 plan were not compliant with WV Code 8A.

Lee Lehman also commented about the current plan. He stated that the controversial topics had to stay in the plan because they are important to all citizens in the county. Lee Lehman also stated that the implementation section of the plan was ambitious, but worth the effort.

Greg Greenwalt stated, with the support of the Planning Commission, that their responsibility was to the public.

Greg Greenwalt then made a motion for the Planning Office Staff to compile a overview of the work involved to bring the 1999 Comprehensive Plan up to WV Code 8A standards. The motion was seconded by Dave Fansler. With no discussion on the motion a vote was taken. The motion passed.

Under New Business, Dave Shields passed out the fiscal 2011 3rd quarter report and two news articles.

Robert Williams commented on three news articles regarding Marcellus Shale drilling.

Bob Alcock asked if the RDA submitted any comments to the Planning Commission regarding the Comprehensive Plan as of the meeting. Lee Lehman replied in the negative.

With no other items on the agenda, Greg Greenwalt made a motion to adjourn the meeting. The motion was seconded by Brad Wilkins. With no comments on the motion, a vote was taken. The motion passed.

The meeting adjourned at 8:00PM.

These minutes represent a summary of the subjects discussed and the actions taken by the members of the Hardy County Planning Commission for the meeting held on May 3, 2011. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.



President, Hardy County Planning Commission



Hardy County Planner

Hardy County Planning Commission
Meeting Minutes
6-7-2011

A meeting of the Planning Commission was held in the Planning Office of the courthouse. Planning Commission members present were Dave Fansler, Roger Saville, Lee Lehman, Charles Kohne, Greg Greenwalt, Brad Wilkins, Charlotte Bowman, Mike Teets, and George Leatherman. Planning Commission members absent were Jeff Fraley. Planner Pat Ford and Assistant Planner Dave Shields were present. The guests for the evening were Laurie Rudolph, Robert Williams and Bob Alcock.

Lee Lehman called the meeting to order at 7:00PM.

The first order of business was to read and approve the minutes from the May 3, 2011 meeting. With no additions, corrections, or objections, Greg Greenwalt made a motion to accept the minutes as read. The motion was seconded by Mike Teets. With no discussion on the motion a vote was taken. The motion passed.

There was to be a guest speaker, Ken Pack, but he did not attend the meeting.

There were no committee reports at this meeting.

Under old business, the first topic of discussion was the Planning Office report of the 1999 Comprehensive Plan comparison to the current Draft 6 updated plan.

The Planning Office staff passed out the three previous memorandums regarding the input from public hearings, stakeholder meetings, and letters received. In addition, a letter from Joshua Miller was distributed. Finally, the memorandum compiled by Pat Ford regarding the 1999 Comprehensive Plan and the RDA's 2007 strategic plan. Pat Ford informed the Planning Commission that the Draft 6 is based off the 1999 plan and the RDA's plan. He also informed the Planning Commission that it was his opinion that if the Planning Commission were to start all over, revising the 1999 plan, then the final product would be identical to the current Draft 6 plan with the added RDA's implementation section.

It was the consensus, from the members voiced; that the Planning Commission return back next month (July) after digesting the information provided and return to the July meeting with a decision as to what direction to take. With that, George Leatherman made a motion to return back in July, after digesting the information provided and return with a decision as to what direction to take regarding the two plans. The motion was seconded by Dave Fansler. With no discussion on the motion a vote was taken. The motion passed.

Lee Lehman then informed the Planning Commission that Brad Wilkins term as a Planning Commission member had expired. Lee Lehman informed the Planning Commission that he recommended that Brad Wilkins be re-instated for an additional three year Term. Lee Lehman then opened the floor of the Planning Commission for a


group decision as to the re-instatement of Brad Wilkins. The members of the Planning Commission voiced in union that Brad Wilkins should be re-instated for an additional three year term. With no other comments from the Planning Commission, Charles Kohne made a motion to recommend Brad Wilkins to the County Commission for a re-instatement three year term on the Planning Commission. The motion was seconded by Greg Greenwalt. With no discussion on the motion, a vote was taken. The motion Passed. Lee Lehman informed the Planning Commission that a letter would be drafted up to be sent to the County Commission for approval.

Next, the Planning Commission discussed the schedule for the upcoming 2011-2012 fiscal year. Greg Greenwalt made a motion to set the dates for the 2011-2012 fiscal year on the First Tuesday of each month, through June 2012, except July 2011, which would be held on July 12, 2011. The motion was seconded by George Leatherman. With no discussion on the motion a vote was taken. The motion passed.


With nothing further on the agenda, Greg Greenwalt made a motion to adjourn. The motion was seconded by George Leatherman. With no discussion on the motion a vote was taken. The motion passed.

The meeting adjourned at 7:50PM.

These minutes represent a summary of the subjects discussed and the actions taken by the members of the Hardy County Planning Commission for the meeting held on June 7, 2011. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.



President, Hardy County Planning Commission



Hardy County Assistant Planner

Hardy County Planning Commission
Meeting Minutes
7-12-2011

A regular meeting of the Planning Commission was held in the Planning Office of the courthouse. Planning Commission members present were Charles Kohne, Charlotte Bowman, Lee Lehman, Mike Teets, Roger Saville, Greg Greenwalt, George Leatherman III, and Dave Fansler. Members absent were Brad Wilkins and Jeff Fraley. Assistant Planner Dave Shields was also present. The guest for the evening was Mrs. Laurie Rudolph.

Lee Lehman called the meeting to order at 7:05PM.

The first order of business on the agenda was to elect the officers for the 2012 fiscal year.

Dave Shields asked for nominations for President of the Planning Commission. Charlotte Bowman made a motion to elect Lee Lehman for President to the Planning Commission for the 2012 fiscal year. The motion was seconded by Roger Saville. There were no other motions for President of the Planning Commission.

Greg Greenwalt then made a motion to close the nominations for President of the Planning Commission. The motion was seconded by George Leatherman. With no discussion on the motion a vote was taken. The motion Passed.

With great humility, Lee Lehman accepted the re-election as President of the Planning Commission for the 2012 fiscal year.

Lee Lehman then took nominations for Vice-President of the Planning Commission for the 2012 fiscal year. George Leatherman made a motion to elect Greg Greenwalt for Vice President for the 2012 fiscal year. The motion was seconded by Charlotte Bowman. There were no other nominations for Vice-President.

Roger Saville then made a motion to close the nominations for Vice-President. The motion was seconded by George Leatherman. With no discussion on the motion, a vote was taken. The motion passed.

Humbly, Greg Greenwalt accepted the Position of Vice-President for the 2012 fiscal year.

The next item on the agenda was to read and approve the minutes from the June 7, 2011 meeting. With no additions, corrections, or objections, Charles Kohne made a motion to accept the minutes as read. The motion was seconded by Dave Fansler. With no discussion on the motion, a vote was taken. The motion passed.

Next, the Planning Commission discussed the resignation of the past County Planner. After mature deliberation, Greg Greenwalt made a motion to commence the hiring

process for a full time County Planner, going to the County Commission, requesting the assistance of the County Coordinator and requesting a scale salary for the County Planner, with a ceiling of \$40,000, pending contract negotiations with the potential Planner. The motion was seconded by George Leatherman. With no discussion on the motion, a vote was taken. The motion passed.

Next under old business was discussion of the Comprehensive Plan. Lee Lehman outlined the choices to the Planning Commission regarding the direction by which the plan may go. The Planning Commission members discussed the pros and cons of each avenue. After mature discussion, George Leatherman made a motion to send Draft 6 of the Comprehensive Plan to the County Commission with the added material presented to the Planning Commission by the Planning Office, dated 3/27, 3/28, and 4/26, intergraded into the Plan. The motion was seconded by Roger Saville. With no comments on the motion a vote was taken. The vote was six Yeas, and one Nae (Charles Kohne). Mike Teets abstained from the voting.

Dave Shields gave the Planning Office report.

Lee Lehman reminded the Planning Commission members that there would be a public hearing for rezoning on July 26, 2011.

With no other items on the agenda, Greg Greenwalt made a motion to adjourn the meeting. The motion was seconded by Charlotte Bowman. With no discussion on the motion a vote was taken and the motion passed.

The meeting adjourned at 8:30PM.

These minutes represent a summary of the subjects discussed and the actions taken by the members of the Hardy County Planning Commission for the meeting held on July 12, 2011. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.



President, Hardy County Planning Commission



Hardy County Assistant Planner

Hardy County Planning Commission
Public Hearing Minutes
7-26-2011

A regular meeting of the Planning Commission was held in the Planning Office of the courthouse. Planning Commission members present were Charles Kohne, Charlotte Bowman, Lee Lehman, Mike Teets, Roger Saville, Greg Greenwalt, George Leatherman III, and Dave Fansler. Members absent were Brad Wilkins and Jeff Fraley. Assistant Planner Dave Shields was also present. The guests for the evening were Jean Flanagan, William Bean, David Mathias, Robert Williams, Renick Williams, and James Oliver.

Lee Lehman called the meeting to order at 7:00PM.

Lee Lehman introduced himself and the purpose of the public hearing; a rezoning request by United Propane Gas and Mr. Renick Williams for part of a piece of land in Moorefield District, Tax Map 203, Parcel 8, exactly 188.87 acres.

Lee Lehman then swore in all of those who desired to speak.

Lee Lehman then opened the floor to the first applicant, United Propane Gas, represented by William Bean, Esquire. Mr. Bean gave a brief history of his client's application process and informed the Planning Commission of the proposed use of a two acre tract of the total requested area applied to be rezoned.

Lee Lehman then opened the floor to Mr. Renick Williams. Mr. Williams address the Planning Commission to the fact that he expanded the area to be rezoned Industrial as requested by the Planning Commission.

Next, Lee Lehman opened the floor to Mr. James Oliver. Mr. Oliver read a letter in opposition to the proposed rezoning.

After mature deliberation by the Planning Commission concerning the rezoning request, Charles Kohne made a motion to approve the applicant's request to rezone a portion of Parcel 8, Tax Map 203, Moorefield District, from Agricultural to Industrial zone and recommend to the County Commission that they hold a public hearing and approve the Planning Commission's rezoning recommendation. The motion was seconded by Dave Fansler. With no discussion on the motion, a vote was taken. The motion passed.

Lee Lehman asked Dave Shields to compose a letter for the County Commission regarding the Planning Commission recommendation.

With no other public hearing business, Greg Greenwalt made a motion to adjourn the public hearing. The motion was seconded by Charlotte Bowman. With no discussion on the motion a vote was taken and the motion passed.

The public hearing adjourned at 7:25PM.

These minutes represent a summary of the subjects discussed and the actions taken by the members of the Hardy County Planning Commission for the public hearing held on July 26, 2011. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.



President, Hardy County Planning Commission



Hardy County Assistant Planner

Hardy County Planning Commission
Meeting Minutes
9-6-2011

A regular meeting of the Planning Commission was held in the Planning Office of the County Courthouse. Planning Commission members present were Charles Kohne, Charlotte Bowman, Lee Lehman, Mike Teets, Roger Saville, Greg Greenwalt, George Leatherman III, and Dave Fansler. Members absent were Brad Wilkins and Jeff Fraley. Assistant Planner Dave Shields was also present.

Lee Lehman called the meeting to order at 7:00PM.

The first order of business was to read and approve the minutes from the July 12th regular meeting and the July 26th public hearing.

Regarding the July 12, 2011 meeting minutes, there being no additions, corrections, or objections, Greg Greenwalt made a motion to approve the minutes as read. The motion was seconded by George Leatherman. With no discussion on the motion, a vote was taken. The motion passed.

In regards to the July 26, 2011 public hearing minutes, there being no additions, corrections, or objections, Greg Greenwalt made a motion to approve the minutes as read. The motion was seconded by George Leatherman. With no discussion on the motion, a vote was taken. The motion passed.

There were no guest speakers that evening.

There were no committee reports on the schedule.

Next, under new business, Assistant Planner Dave Shields passed out to the Planning Commission the current Improvement Location Permit ordinance and a draft proposed by the Planning Office Staff. Dave Shields then read aloud a comprehensive list of arguments regarding why the current Improvement Location Permit ordinance needed revised.

Lee Lehman asked the Planning Commission to look over the draft and compare it to the current ordinance that is enforced (2007 revised). Lee Lehman then asked the Planning Commission members to come back with their ideas in regards to the draft Improvement Location Permit Ordinance.

Next, Dave Shields updated the Planning Commission as to the following;

- A possible wireless application for the SR259 corridor from Baker to the Virginia Line.

- The upcoming Board of Zoning Appeals public hearing on September 8, 2011 for the bulk gas storage facility in the new industrial named the "Fish Pond" industrial zone.
- A meeting that day the Planning Office had with County Surveyor Dave Jopling; whereby the County Zoning Map would be updated to include the new industrial zone, Corridor H, increase in the industrial acreage, decrease in the agricultural acreage, and any "work in progress" removed.
- The October 17th Comprehensive Plan public hearing.

Next, Lee Lehman informed the Planning Commission that due to the special election on October 4th, the Courthouse would be closed. Lee Lehman asked if there was a date that would work for everyone on the Planning Commission.

After the Planning Commission briefly referenced their calendars, Greg Greenwalt made a motion to move the regular meeting in October from the 4th to the 5th of October at the same time and place. The motion was seconded by George Leatherman. With no discussion on the motion a vote was taken. The motion passed.

The next item on the agenda was discussion of the hiring of the county Planner.

Mike Teets reminded the Planning Commission that a full time Planer was to be hired.

Greg Greenwalt passed out a generic application form and updated job descriptions for the position of County Planner. Lee Lehman presented the job ad for the position of County Planner for the Planning Commission members to review. The Planning Commission members took time to review the documents.

Charles Kohne made a motion to allow Planning Commission President Lee Lehman and County Coordinator Rose Helmick cooperate to use the presented application, job description and job ad by which to set a window to accept applications from applicants. The motion was seconded by Greg Greenwalt. With no discussion on the motion, a vote was taken. The motion passed.

Charlotte Bowman and George Leatherman inquired about members who had missed more than three meetings. Lee Lehman and Greg Greenwalt replied that they were speaking to those members.

Roger Saville asked that the County Commission approved bylaws be mailed to the members of the Planning Commission.

With nothing further on the agenda, Greg Greenwalt made a motion to adjourn the meeting. The motion was seconded by Dave Fansler. With no discussion on the motion a vote was taken. The motion passed.

The meeting adjourned at 8:11PM.

These minutes represent a summary of the subjects discussed and the actions taken by the members of the Hardy County Planning Commission for the meeting held on September 6, 2011. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.



President, Hardy County Planning Commission



Hardy County Assistant Planner

Hardy County Planning Commission
Meeting Minutes
10-5-2011

A regular meeting of the Planning Commission was held in the Planning Office of the County Courthouse. Planning Commission members present were Charles Kohne, Charlotte Bowman, Lee Lehman, Roger Saville, Greg Greenwalt, and Dave Fansler. Members absent were Mike Teets, George Leatherman, Brad Wilkins and Jeff Fraley. Assistant Planner Dave Shields was also present.

Lee Lehman called the meeting to order at 7:00PM.

The first order of business was to read and approve the minutes from the September 6, 2011 meeting.

Regarding the September 6, 2011 meeting minutes, there being no additions, corrections, or objections, Greg Greenwalt made a motion to approve the minutes as read. The motion was seconded by Dave Fansler. With no discussion on the motion, a vote was taken. The motion passed.

There were no guest speakers.

There were no committee reports.

Next, under new business, Lee Lehman updated the Planning Commission regarding the job ad for the position of County Planner. The job ad has been on the County web site and in the Moorefield Examiner since September 14th and the opening will run through the 14th of October.

Lee Lehman asked the Planning Commission to consider a time when the Planning Commission membership could meet to review the applications. After mature discussion, the consensus of the Planning Commission was to hold an executive session at the end of the November 1, 2011 regular meeting. This executive sessions purpose would be to review all of the applications and choose those for the interview process. In addition, the Planning Commission would ask County Coordinator Rose Helmick to attend the meeting and assist in the executive session.

Under old business, the Planning Commission reviewed the Improvement Location Permit Draft ordinance. Planning Commission members pointed out corrections to Assistant Planner Dave Shields. In addition, Planning Commission members were briefed again as to the purpose of updating the ordinance. Dave Shields informed the Planning Commission that when completed, a "cleaned up" copy would be mailed out to Planning Commission members.

Next, Dave Shields updated the Planning Commission as to the following;

- The possible wireless application for the SR259 corridor from Baker to the Virginia Line is still in a holding pattern.
- The 1st quarter Planning Office report was handed out for reference purposes.
- A report on the September 8, 2011 Board of Zoning Appeals public hearing regarding United Propane Gas.
- A reminder of the October 17th Comprehensive Plan public hearing.
- Informed the Planning Commission that Assistant Planner Dave Shields is to be interviewed by Steve Davis of WELD regarding the proposed comprehensive plan.

Next, the subject of absent Planning Commission members was brought up again. The concern regarded quorums at Planning Commission meetings and upholding the bylaws. Lee Lehman informed the Planning Commission that he has spoken to members who were regularly absent.

Planning Commission members then had various floodplain questions for Assistant Planner Dave Shields.

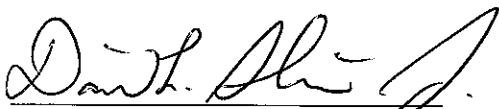
With nothing further on the agenda, Charles Kohne made a motion to adjourn the meeting. The motion was seconded by Dave Fansler. With no discussion on the motion a vote was taken. The motion passed.

The meeting adjourned at 8:31PM.

These minutes represent a summary of the subjects discussed and the actions taken by the members of the Hardy County Planning Commission for the meeting held on October 5, 2011. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.



President, Hardy County Planning Commission



Hardy County Assistant Planner

Hardy County Planning Commission
Meeting Minutes
11-1-2011

A regular meeting of the Planning Commission was held in the Planning Office of the County Courthouse. Planning Commission members present were Charles Kohne, Charlotte Bowman, Lee Lehman, Roger Saville, George Leatherman, Greg Greenwalt, and Dave Fansler. Members absent were Mike Teets, Brad Wilkins and Jeff Fraley. Assistant Planner Dave Shields was also present. The guests for the evening were Bob Alcock and Rose Helmick.

Lee Lehman called the meeting to order at 7:00PM.

The first order of business was to read and approve the minutes from the October 5, 2011 meeting.

Regarding the October 5, 2011 meeting minutes, there being no additions, corrections, or objections, Greg Greenwalt made a motion to approve the minutes as read. The motion was seconded by Charlotte Bowman. With no discussion on the motion, a vote was taken. The motion passed.

There were no guest speakers.

There were no committee reports.

There was no new business

Under old business, Charles Kohne made a motion to table discussion of the Improvement Location Ordinance until the December 2011 meeting due to the possible long length of time that evening for reviewing applications for the position of County Planner. The motion was seconded by Dave Fansler. With no discussion on the motion, a vote was taken. The motion passed.

Next under old business was the Comprehensive Plan. Dave Shields passed out the new October 28, 2011 Updated Ordinance approved by the County Commission. Dave Shields then gave a basic outline of the updated document to the Planning Commission and passed out comments from the County Commission and from the County Commission Comprehensive Plan public hearing. Dave Shields then turned over the discussion to Greg Greenwalt and Roger Saville as to the October 28, 2011 special meeting. Greg Greenwalt and Roger Saville proceeded to inform the Planning Commission the details of the County Commission special meeting where the Comprehensive Plan was adopted as an ordinance.

Dave Fansler then asked that when the comments from Robert Williams regarding the Comprehensive Plan arrived in the Planning Office, that they be forwarded to the Planning Commission.

Next, Greg Greenwalt made a motion for Planning Commission President Lee Lehman and Assistant Planner Dave Shields to coordinate, plan, and execute the George Leatherman III Annual Christmas Party

Next, Dave Shields introduced the new Planning Office complaint policy to the Planning Commission. This policy is only for ordinances the Planning Office enforces.

Charles Kohne then recommended that Robert Williams be approached to join the Planning Commission. Lee Lehman said that Robert would be approached about membership.

Next, Bob Alcock came before the Planning Commission to speak. He thanked the members for their hard work on the Comprehensive Plan. Then Bob Alcock spoke about the defaming comments the Hardy County RDA has made in the past to the public and county employees. Bob Alcock then suggested that the Planning Commission inform any prospects for the position of County Planner that as part of their job description they would be defamed by the Hardy County RDA. He then thanked the Planning Commission members for their time.

Next, under the West Virginia Open Government Meeting Proceedings Act, Lee Lehman informed the Planning Commission members and the public that the Planning Commission was going into Executive Session to review the Applications for the position of County Planner. Lee Lehman asked for a motion to go into Executive Session.

Greg Greenwalt made a motion for the Planning Commission to go into Executive Session to review the Applications for the position of County Planner. The motion was seconded by Dave Fansler. With no discussion on the motion a vote was taken. The motion passed.

The Planning Commission then entered into Executive Session.

The Planning Commission exited out of Executive Session.

With nothing further on the agenda, Greg Greenwalt made a motion to adjourn the meeting. The motion was seconded by Dave Fansler. With no discussion on the motion a vote was taken. The motion passed.

The meeting adjourned at 8:30PM.

These minutes represent a summary of the subjects discussed and the actions taken by the members of the Hardy County Planning Commission for the meeting

held on November 1, 2011. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.



President, Hardy County Planning Commission



Hardy County Assistant Planner

Hardy County Planning Commission
Meeting Minutes
12-6-2011

A regular meeting of the Planning Commission was held in the Planning Office of the County Courthouse. Planning Commission members present were Charles Kohne, Charlotte Bowman, Lee Lehman, Roger Saville, George Leatherman, Greg Greenwalt, and Dave Fansler. Members absent were Mike Teets, Brad Wilkins and Jeff Fraley. Assistant Planner Dave Shields was also present.

Lee Lehman called the meeting to order at 7:00PM.

The first order of business was to read and approve the minutes from the November 1, 2011 meeting.

In regards to the November 1, 2011 meeting minutes, there being no additions, corrections, or objections, Charlotte Bowman made a motion to approve the minutes as read. The motion was seconded by Greg Greenwalt. With no discussion on the motion, a vote was taken. The motion passed.

There were no guest speakers that evening.

There were no committee reports that meeting.

There was no new business for this meeting.

Under old business, the Planning Commission continued the discussion of the Improvement Location Ordinance. Planning Commission members pointed out several grammatical errors and had several questions to field to the Planning Office Staff. Those corrections being noted and the questions answered, the consensus of the Planning Commission was to come back next month to review work on the ordinance after a new copy was mailed to the members.

Under announcements, Dave Shields informed the Planning Commission regarding the Planning and Zoning meeting conference that occurred on November 2, 2011, the request by scouting groups for the Assistant Planner to come and help instruct Merit Badges, the menu for the Christmas dinner, and the SHIPO report for the possible wireless towers along SR259 from Baker to the Virginia line.

Next, under the West Virginia Open Government Meeting Proceedings Act, Lee Lehman informed the Planning Commission members that the Planning Commission was going into Executive Session to review the Applications for the position of County Planner and to discuss membership of the Planning Commission. Lee Lehman then asked for a motion to go into Executive Session.

Greg Greenwalt made a motion for the Planning Commission to go into Executive Session to review the Applications for the position of County Planner and to discuss membership of the Planning Commission. The motion was seconded by Charles Kohne. With no discussion on the motion a vote was taken. The motion passed.

The Planning Commission then entered into Executive Session.

Greg Greenwalt then made a motion to come out of executive session. The motion was seconded by Dave Fansler. With no discussion on the motion, a vote was taken. The motion passed.

The Planning Commission exited out of Executive Session.

Greg Greenwalt then made a motion to reopen the application process for the position of County Planner and extend it until December 31, 2011. The motion was seconded by Charles Kohne. With no discussion on the motion, a vote was taken. The motion passed.

Charles Kohne then made a motion to recommend Robert Williams to the County Commission for a three year term on the Planning Commission beginning on January 1, 2012 and ending on December 31, 2014. The motion was seconded by Dave Fansler. With no discussion on the motion, a vote was taken. The motion passed.

Lee Lehman stated that a letter would be sent to the County Commission, drafted by Dave Shields; requesting the appointment of Robert Williams.

Greg Greenwalt then made a motion to send a letter to the County Commission requesting that Jeff Fraley's term as Planning Commission member not be extended beyond December 31, 2011. The motion was seconded by Charles Kohne. With no discussion on the motion, a vote was taken. The motion passed.

And Mr. Brad Wilkins, by not attending three consecutive meetings of the Planning Commission in a row, according to the Hardy County Planning Commission bylaws, has resigned.

Lee Lehman informed the Planning Commission that letters would be sent to the County Commission, requesting that appropriate action be taken by not reappointing Mr. Fraley and releasing Mr. Wilkins as members of the Planning Commission. In addition, Lee Lehman will ask the County Commission to send letters of appreciation for their volunteer service. The Planning Commission will also send a letter of appreciation to Mr. Fraley and Mr. Wilkins.

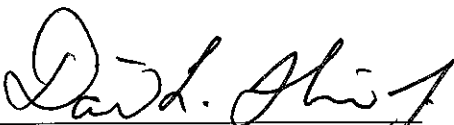
With nothing further on the agenda, Charles Kohne made a motion to adjourn the meeting. The motion was seconded by Dave Fansler. With no discussion on the motion a vote was taken. The motion passed.

The meeting adjourned at 8:40PM.

These minutes represent a summary of the subjects discussed and the actions taken by the members of the Hardy County Planning Commission for the meeting held on December 6, 2011. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.



President, Hardy County Planning Commission



Hardy County Assistant Planner